

AGENDA
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, May 25, 2023 – 3:00 p.m.
Community Rooms

*This meeting may also be accessed through Zoom
at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering
Meeting ID 932 1605 6382.*

CALL TO ORDER/ROLL CALL

DISCUSSION ITEMS

1. Cultural Access Program Presentation

Harbor History Museum Executive Director Stephanie Lile

Documents:

[Cultural Access GH - 1pager.pdf](#)
[Cultural Access-GH-5-19-23.pdf](#)
[1575.SL-Passed 2023.pdf](#)

2. 2024-2029 Six-Year Transportation Improvement Program (TIP)

City Engineer Aaron Hulst, PE

Documents:

[STAFF MEMO 2024-2029 Six-Year TIP.pdf](#)

3. Unlimited (Voted) Bond Discussion

Finance Director Dave Rodenbach

Documents:

[UTGO Bond Memo - Study Session 5-28-23\[91953\].pdf](#)

4. Short-term Rentals Update

Community Development Director Carl de Simas

Documents:

[05.18.23 STR Update Memo w Map.pdf](#)

5. State Building Code Adoption

Building Official/Fire Marshal Paul Rice

Documents:

[STAFF MEMO Building Code Updates.pdf](#)

ADJOURN

AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS

ADA accommodations can be provided upon request. Those requiring special accommodations should contact the City Clerk at cityclerk@gigharborwa.gov or (253) 853-7613 at least 24 hours prior to the meeting.

CULTURAL ACCESS GIG HARBOR



Providing integrated learning opportunities in history, science, and the arts.



THE PLACE WHERE INQUIRY AND CREATIVITY MERGE



WHAT IS CULTURAL ACCESS?

CA is an opportunity for communities to provide access to exemplary educational programs provided by professionals in their respective fields.

HOW IS IT FUNDED?

By a one-tenth of one percent increase in city sales tax. These funds are distributed to local non-profits who provide public and school programs on a regular basis.

WHAT LOCAL ORGANIZATIONS ARE ELIGIBLE FOR FUNDING?

Established non-profits who provide school and public programming, such as:

Harbor History Museum
Harbor WildWatch
Gig Harbor BoatShop
Peninsula Hands On Art
Peninsula Youth Orchestra
and more

HOW DOES MY FAMILY BENEFIT?

The program includes dedicated funding for student transportation to cultural facilities, in-school outreach provided by local non-profits, and operations funding for cultural organizations. Funds also support public programs for all.

HOW IS IT ENACTED?

After July 23, 2023, Cultural Access Gig Harbor can be enacted with a simple majority vote of City Council. Funds would be collected in 2024 and available for distribution in 2025. The sales tax levy would be in place for seven years.

Cultural Access was first passed in Tacoma and most recently Olympia

Cultural Access is a taxing levy enacted by the Washington State Legislature in 2015 (RCW 36.160). If approved by Gig Harbor City Council, it will increase local sales tax by .001 percent (currently 8.8%) and provide much-needed baseline funding for local cultural, heritage, arts, and science education organizations located within the city limits. If enacted in 2023, funds will be available in 2025.



CULTURAL ACCESS GIG HARBOR

FUNDING FOR CULTURAL NON-PROFITS
& FIELD-BASED SCHOOL PROGRAMS

ACCESS TO ... HISTORY, SCIENCE, AND ARTS



TAUGHT BY PROFESSIONALS IN THE FIELD

CULTURAL ACCESS – RCW 36.160.010 C



House Bill 2263 2015

After 2017, cities have the right to form their own program if counties have not

Tacoma and Olympia are the first two cities in WA to enact this program



Sales Tax Based

Adds just .001 percent to existing sales tax within the City of Gig Harbor (currently 8.8%)



Specific Purpose

Provide local support and financial stability for cultural organizations

Extend the educational reach and offerings of cultural organizations

WHO BENEFITS FROM CULTURAL ACCESS?



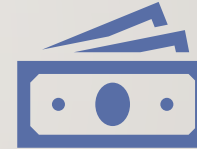
The Community

Vibrant and relevant programming
Cultural programming is an economic driver



School Students

Unique learning opportunities
Transportation to cultural programming



Non-Profit Organizations

Operations funding
Living wage jobs for community members

THE STATED NEED ~ RCW 36.160.010

- There is a need to provide public and educational benefits and economic support for cultural organizations. Providing local support for the state's cultural organizations is in the public interest and will serve multiple public purposes including, among others, enhancing and extending the education reach and offerings of cultural organizations; ensuring continued and expanded access to the facilities and programs of cultural organizations by economically and geographically underserved populations; and providing financial stability to the organizations to continue and extend the numerous public benefits they provide.

CULTURAL ACCESS VS CREATIVE DISTRICT

Cultural Access legislation gives cities the opportunity to impose a small tax with the specific purpose of supporting cultural organizations and providing public schools with access to cultural programming. City start-up investment can be reimbursed by funds collected in first year.



A Creative District is a special designation, much like the Maritime Washington National Heritage Area, with no dedicated baseline funding for cultural arts organizations (aside from possible grant opportunities).



Levies and Districts can (and should) work together but are not dependent on one another.

CULTURAL ACCESS PROGRAM - FORMATION



Step 1

HB 1575, passed in 2023, allows city councils to enact the levy with or without placing on ballot. Cities in Pierce and Thurston Counties are poised to act immediately since Cultural Access programs have already been approved in Tacoma and Olympia.



Step 2

City Council recognizes the need to support cultural non-profits and approves resolution to enact the levy with collection starting in 2024. (.001 percent add to current sales tax)

CULTURAL ACCESS PROGRAM - FORMATION



Step 3

If passed, guidelines and administration structure formed during collection year (2024).

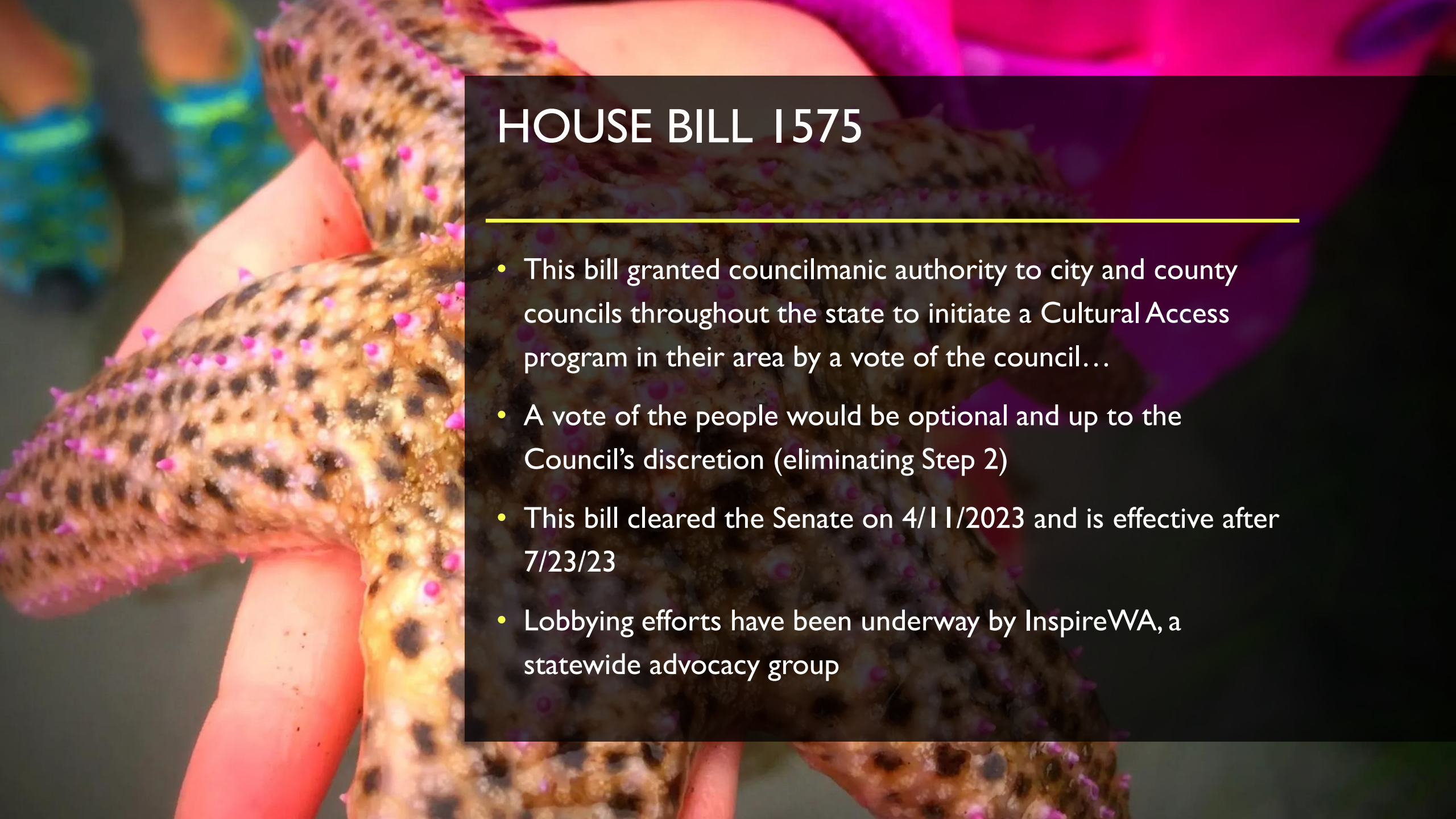
2024 Sales Tax collected (.001 percent add to current sales tax) in Gig Harbor city limits.



Step 4

Funds collected in 2024 are distributed to qualified organizations in 2025.

Law allows provision for program management and start-up cost reimbursement.



HOUSE BILL 1575

- This bill granted councilmanic authority to city and county councils throughout the state to initiate a Cultural Access program in their area by a vote of the council...
- A vote of the people would be optional and up to the Council's discretion (eliminating Step 2)
- This bill cleared the Senate on 4/11/2023 and is effective after 7/23/23
- Lobbying efforts have been underway by InspireWA, a statewide advocacy group

THE BENEFITS

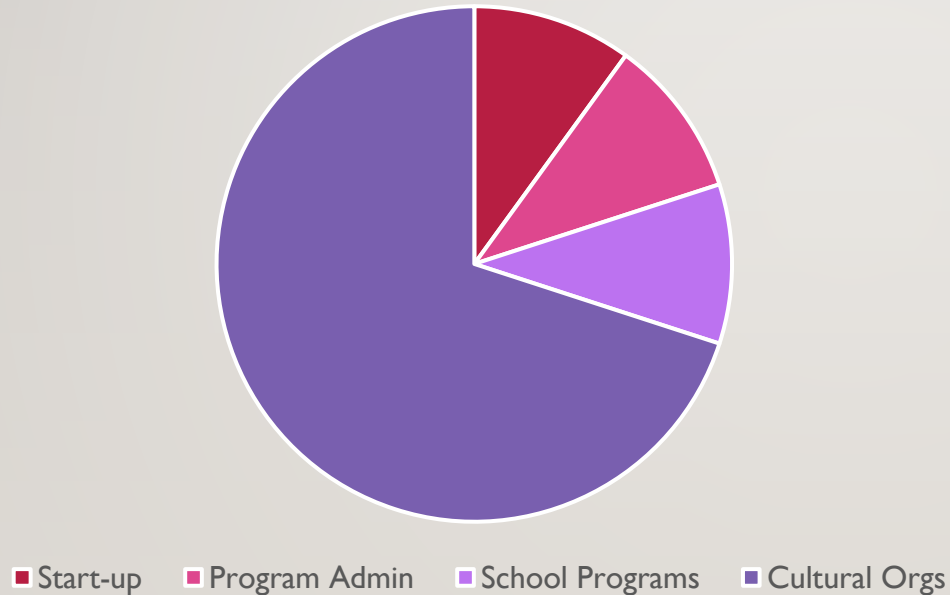
- Provides significant **public benefit** by creating more robust non-profit cultural programming
- Provides **baseline funding** for cultural organizations to provide quality school and public programming
- **Low cost** to community; **high return** on investment
- These funds are **not a replacement** for existing funding sources

WHAT IT WOULD TAKE TO PASS ~ VOTER SAMPLE

- **City of Gig Harbor Sample Statistics**
- -Total Registered Voters: 8,744
- -Number who voted in last election: 5,289 (60.49% turnout)
- -Percent needed to validate levy vote: 40% (2,116)
- -Number of YES votes needed to pass: 1,270 (60% of total votes)

HOW ARE THE FUNDS DIVIDED?

Fund Allocation



Fund Allocation is dictated by law.

Olympia Model:

10% Program Management

10% School Access

80% Cultural Organizations

2021 Sales Tax Est Revenue \$1,002,926	Annual Fund Allocation %	Annual Fund Allocation \$ Year 1	Annual Fund Allocation \$ Year 2	Annual Fund Allocation \$ Year 3
Start-up/Admin Costs	10	\$100,293	\$50,146	0
Program Costs/Admin	10	\$100,293	\$200,585	\$200,585
Public School Access	10	\$100,293	\$100,293	\$100,293
NP Programs	70	\$702,048	\$752,195	\$802,341
Total Expended	100	\$1,002,926	\$1,002,926	\$1,002,926
Remainder Funds	Org capital	improvements		

SAMPLE FUND ALLOCATIONS



Source: 2019 990 Reports	Annual Revenue	15% Fund Allowance	25% Fund Allowance	40% Fund Allowance
Harbor History Museum	\$858,099	\$128,715	\$214,524	\$343,240
Harbor WildWatch	\$260,575	\$39,086	\$65,143	\$104,230
Gig Harbor BoatShop	\$252,887	\$37,933	\$63,221	\$101,155
Peninsula Art League	\$13,075	\$1,961	\$3,268	\$5,230
Total Funding	0	\$207,695	\$346,156	\$553,855

FUNDING EXAMPLES



QUALIFYING ORGANIZATIONS MUST

- Be a 501-c-3 Nonprofit located in and providing majority of services in Gig Harbor, Peninsula School District,, and South Puget Sound
- The primary purpose of the organization must be the advancement and preservation of history, science or technology, the visual or performing arts, zoology, botany, anthropology, heritage, or natural history
- Directly provide programming or experiences available to the general public
- Have a proven track record of providing public and school programs
- Have at least one paid employee with professional experience and education in the field

ORGANIZATIONS RECEIVING FUNDS MUST PROVIDE PUBLIC BENEFIT

The public benefits include, without limitation:

Reasonable opportunities for access to facilities, programs, and services on a reduced or no admission fee basis, particularly for diverse and underserved populations and communities;

Providing, through technological and other means, services or programs in locations other than an organization's own facilities;

Providing educational programs and experiences both at an organization's own facilities and in schools and other venues;

Broadening cultural programs, performances, and exhibitions for the enlightenment and entertainment of the public;

Supporting collaborative relationships with other cultural organizations in order to extend the reach and impact of the collaborating organizations for the benefit of the public;

In the case of community-based cultural organizations, organizational capacity-building projects or activities that an organization can demonstrate, to the reasonable satisfaction of the designated entity, will enhance the ability of the organization to provide or continue to provide meaningful public benefits not otherwise achievable.

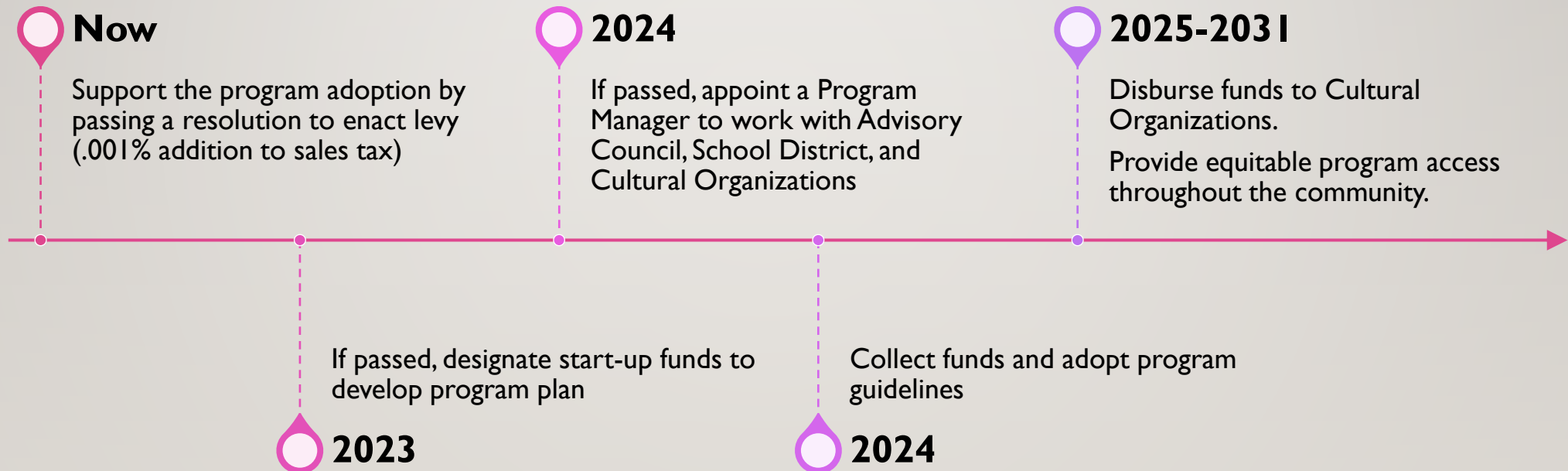


ADVISORY COUNCIL

- An Advisory Council must be established made up of residents of the city who are:
- "citizen representatives of constituencies and organizations with interests relevant to the work of the program including, but not limited to, leaders in the business, educational, and cultural communities"



WHAT DOES THE CITY NEED TO DO?



WHAT DOES THE SCHOOL DISTRICT NEED TO DO?

- Understand the benefits to students across the district
- Help advocate to city council, parents, and the general community in support of Cultural Access – Gig Harbor
- Have a representative on the Advisory Council
- Make a commitment to working with the program and cultural organizations to prioritize student access to cultural programming

WHAT DO ORGANIZATIONS NEED TO DO?

- Provide program and staffing data for public and council presentations
- Provide an organizational representative to serve on the initial Advisory Council
- Work together to encourage the City Council to pass the measure in late July or August 2024
- Attend the Council Study Session May 25th



WHAT WILL THE ADVISORY COMMITTEE NEED TO DO?

- Establish the program guidelines for lawful use of funds
- Establish guidelines and process for grant applications
- Network with organizations to secure program information and access
- Attend monthly meetings to review and provide input on program guidelines
- Meet with other city program managers to learn from their processes
- Complete guidelines and present to council and School Board for final approval



REFERENCES

- City of Olympia Cultural Access
- https://www.olympiawa.gov/community/arts_culture_heritage/cultural_access.php
- City of Tacoma Cultural Access
- <https://www.tacomacreates.org/>
- RCW 36.160.010
- <https://app.leg.wa.gov/RCW/default.aspx?cite=36.160>
- [HB 1575](#) As enacted by Washington State.



CERTIFICATION OF ENROLLMENT

HOUSE BILL 1575

Chapter 179, Laws of 2023

68th Legislature
2023 Regular Session

CULTURAL ACCESS PROGRAMS SALES AND USE TAX—MODIFICATION

EFFECTIVE DATE: July 23, 2023

Passed by the House March 3, 2023
Yeas 51 Nays 47

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 11, 2023
Yeas 27 Nays 22

DENNY HECK

President of the Senate

Approved April 25, 2023 3:36 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1575** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 26, 2023

**Secretary of State
State of Washington**

HOUSE BILL 1575

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Representatives Reed, Berry, Berg, Taylor, Farivar, Stonier, Peterson, Senn, Doglio, Cortes, Ryu, Fosse, Springer, Bateman, Goodman, Ramel, Bergquist, and Pollet

Read first time 01/25/23. Referred to Committee on Local Government.

1 AN ACT Relating to modifying the sales and use tax for cultural
2 access programs by allowing the tax to be imposed by a councilmanic
3 or commission authority and defining timelines and priorities for
4 action; amending RCW 82.14.525; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 82.14.525 and 2015 3rd sp.s. c 24 s 402 are each
7 amended to read as follows:

8 (1) The legislative authority of a county (~~or a city~~) may
9 impose a sales and use tax of up to one-tenth of one percent of the
10 selling price in the case of a sales tax, or value of the article
11 used, in the case of a use tax, for the purposes authorized under
12 chapter 36.160 RCW. The legislative authority of the county (~~or~~
13 ~~city~~) may impose the sales and use tax by ordinance and (~~must~~) may
14 condition its imposition on the specific authorization of a majority
15 of the voters voting on a proposition submitted at a special or
16 general election held after June 30, 2016. The ordinance, or
17 ordinance and ballot proposition, may provide for the tax to apply
18 for a period of up to seven consecutive years.

19 (2) If a county has not imposed the sales and use tax under this
20 section prior to December 31, 2024, a city within that county may
21 impose a sales and use tax of up to one-tenth of one percent of the

1 selling price in the case of a sales tax, or value of the article
2 used, in the case of a use tax, for the purposes authorized under
3 chapter 36.160 RCW. The legislative authority of the city may impose
4 the sales and use tax by ordinance and may condition its imposition
5 on the specific authorization of a majority of the voters voting on a
6 proposition submitted at a special or general election. The
7 ordinance, or ordinance and ballot proposition, may provide for the
8 tax to apply for a period of up to seven consecutive years.

9 (3) The tax authorized in this section is in addition to any
10 other taxes authorized by law and must be collected from those
11 persons who are taxable by the state under chapters 82.08 and 82.12
12 RCW upon the occurrence of any taxable event.

13 ~~((+3))~~ (4) The legislative authority of a county or city may
14 reimpose a tax imposed under this section for one or more additional
15 periods of up to seven consecutive years. The legislative authority
16 of the county or city may ~~((only))~~ reimpose the sales and use tax by
17 ordinance and may condition its reimposition on the ~~((prior))~~
18 specific authorization of a majority of the voters voting on a
19 proposition submitted at a special or general election.

20 ~~((+4))~~ (5) A county and a city within that county may not
21 concurrently impose the tax authorized in this section.

22 (6) Moneys collected under this section may only be used for the
23 purposes set forth in RCW 36.160.110.

24 ~~((+5))~~ (7) The department must perform the collection of taxes
25 under this section on behalf of a county or city at no cost to the
26 county or city, and the state treasurer must distribute those taxes
27 as available on a monthly basis to the county or city or, upon the
28 direction of the county or city, to its treasurer or a fiscal agent,
29 paying agent, or trustee for obligations issued or incurred by the
30 program.

31 ~~((+6))~~ (8) The definitions in RCW 36.160.020 apply to this
32 section.

33 NEW SECTION. Sec. 2. This act applies prospectively only and
34 not retroactively. It applies only to taxes imposed under RCW
35 82.14.525 that are imposed on or after the effective date of this
36 section.

Passed by the House March 3, 2023.
Passed by the Senate April 11, 2023.
Approved by the Governor April 25, 2023.

Filed in Office of Secretary of State April 26, 2023.

--- **END** ---



PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: City Council

FROM: Aaron Hulst, PE, City Engineer

DATE: May 25, 2023

SUBJECT: 2024-2029 Six-Year Transportation Improvement Program (TIP)

In accordance with RCW 35.77.010, Cities must annually prepare and adopt a comprehensive transportation program for the ensuing six calendar years that is consistent with the agency's transportation comprehensive plan. This is commonly referred to as the Six-Year Transportation Improvement Program (TIP) and is required to be submitted annually to the state Secretary of Transportation. Included as part of the TIP adoption process is a public hearing. While a TIP represents the jurisdiction's anticipated transportation projects over a six-year period, each individual project may be undertaken in any given year, subject to the budget deliberation process.

As part of the Comprehensive Plan update that concluded in 2018, the City completed a rigorous capacity analysis of the City's roadway system which evaluated the future levels of service at intersections. From this analysis, the short and long-range project lists were updated in the Transportation Element of the Comprehensive Plan to address future LOS deficiencies. The conclusions from the Comprehensive Plan update analyses, the 2023 Six-Year TIP, and the 2023-24 Budget serve as the basis for the attached 2024-2029 Six-Year TIP.

The TIP will be presented for adoption by resolution at the June 26, 2023 City Council Meeting.

Study Session Packet attachments:

- Six-Year Transportation Improvement Program Map 2024-2029
- The progression of a transportation project – flow chart
- 2023/2024 TIP comparison table – comparison summary of the 2023 vs. 2024 TIP
- What is the TIP? – summary sheet

Six-Year Transportation Improvement Program
2024 - 2029



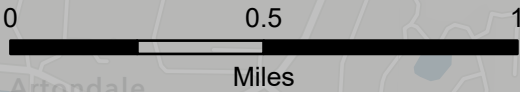
Map ID	Project Name
1	Burnham Drive Improvements Phase 1A (Eagle's Club to 96th St.)
2	Borgen Boulevard/SR-16 WB off-ramp metering STUDY
3	38th Ave. Phase 2 (56th St. to Hunt St.)
4	Wollochet Drive/SR-16 WB on-ramp right turn lane
5	Wollochet Drive/SR-16 EB off-ramp right turn lane
6	Wagner Way/Wollochet Signal
7	Olympic Drive/Pt. Fosdick right turn lane extension
8	Peacock Hill Ave. Half Street Imp. (~300' north of Ringold to ~150' north of 150th St. Ct.)
9	Cushman Trail Phase 5 Design
10	Prentice Avenue/Fennimore Street Half-Width Roadway Improvements
11	38th Avenue Phase 1B (Briarwood Lane to 50th Street)
12	38th Avenue Phase 1C (50th Street to 56th Street)
13	Harborview Drive/Pioneer Way Intersection Improvements
14	Hunt St./Skansie Ave. Intersection Improvements
15	Hunt St./38th Ave. Intersection Improvements
16	50th St. Ct. Improvements
17	Soundview Drive/Hunt Street Intersection Improvement
18	Burnham Drive Improvements Phase 1B (N. Harborview Dr. to Eagle's Club)
19	Burnham Drive Bridge - Restripe to 4 lanes
20	Burnham Drive Improvements Phase 2 (Harbor Hill Drive to Borgen Blvd.)
21	Pedestrian Crossing at SR-16 near Borgen Blvd.
22	Olympic Drive/SR-16 Intersection Improvements
23	Rosedale Street/Skansie Avenue Intersection Improvements
24	Grandview Street Improvements (Soundview Drive to McDonald Avenue)
25	Skansie Avenue Improvements (Rosedale Street to Hunt Street)
26	Wollochet Drive Interchange Improvements (Kimball Drive to Hunt Street)
27	Vernhardson Street (Peacock Hill Avenue to City Limits)
28	Olympic Drive and Spur to Hollycroft

Legend

City of Gig Harbor

Transportation Improvement Program

Project Location

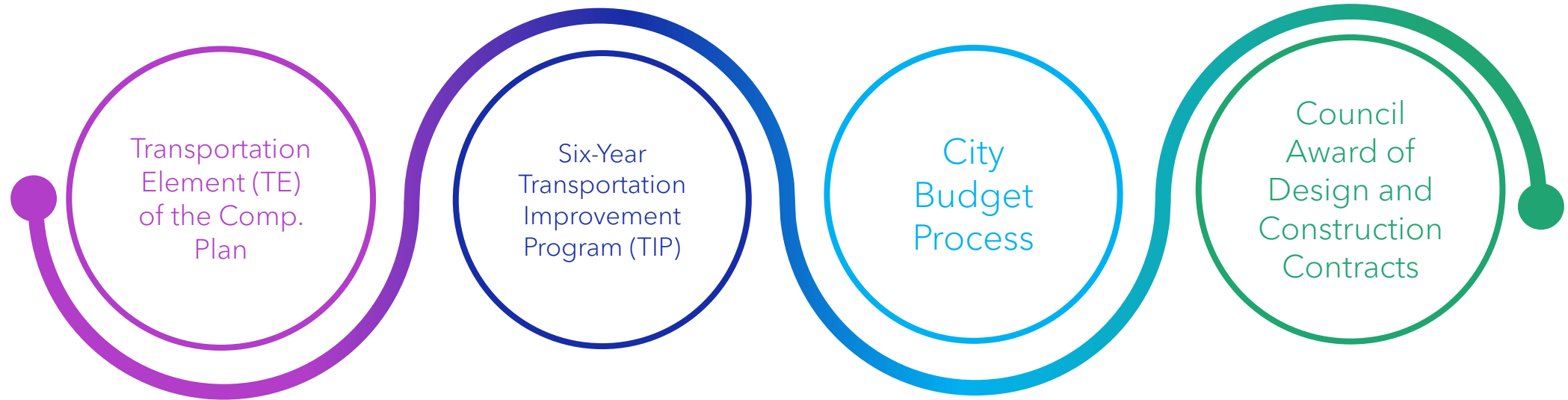


The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The City assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS-IS' AND 'WITH ALL FAULTS.' The City makes no warranty of fitness for a particular purpose. The information on this map will change over time without notice.
Name: Transportation Improvement Program

WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA. Gig Harbor 2021.

THE PROGRESSION OF A TRANSPORTATION PROJECT

(POINTS WHERE COUNCIL HAS OPPORTUNITY FOR INPUT)



Transportation Element (TE)

Every ten years we are required to update the Transportation Element of the Comprehensive Plan. The TE takes a comprehensive look at the state of the City's transportation network.

6-Year TIP

A near-term planning document that identifies a list of planned transportation projects over the next six years. TIP projects are required to be consistent with the projects identified in the comprehensive plan.

City Budget Process

During the budget process Council determines which projects to fund in the upcoming budget cycle.

Contract Award

Council's opportunity to review and approve a design or construction contract to move a project forward.

2023 vs. 2024 TIP Comparison List

2023 TIP #	2024 TIP #	Project Name
1	1	Burnham Drive Improvements Phase 1A (Eagle's Club to Harbor Hill Dr./Burnham Dr. roundabout)
2	2	Borgen Boulevard/SR-16 WB off-ramp metering STUDY
3	3	38th Ave. Phase 2 (56th St. to Hunt St.)
4	4	Wollochet Drive/SR-16 WB on-ramp right turn lane
5	5	Wollochet Drive/SR-16 EB off-ramp right turn lane
9	6	Wagner Way/Wollochet Signal
7	7	Olympic Drive/Pt. Fosdick right turn lane extension
15	8	Peacock Hill Ave. Half Street Imp. (~300' north of Ringold to ~150' north of 150th St. Ct.)
27	9	Cushman Trail Phase 5 Design
New 2024 TIP Project	10	Prentice Avenue/Fennimore Street Half-Width Roadway Improvements
6	11	38th Avenue Phase 1B (Briarwood Lane to 50th Street)
8	12	38th Avenue Phase 1C (50th Street to 56th Street)
10	13	Harborview Drive/Pioneer Way Intersection Improvements
11	14	Hunt St./Skansie Ave. Intersection Improvements
12	15	Hunt St./38th Ave. Intersection Improvements
13	16	50th St. Ct. NW Improvements
14	17	Soundview Drive/Hunt Street Intersection Improvement
16	18	Burnham Drive Improvements Phase 1B (N. Harborview Dr. to Eagle's Club)
17	19	Burnham Drive Bridge - Restripe to 4 lanes
18	20	Burnham Drive Improvements Phase 2 (Harbor Hill Drive to Borgen Blvd.)
19	21	Pedestrian Crossing at SR-16 near Borgen Blvd.
20	22	Olympic Drive/SR-16 Intersection Improvements
21	23	Rosedale Street/Skansie Avenue Intersection Improvements
22	24	Grandview Street Improvements (Soundview Drive to McDonald Avenue)
23	25	Skansie Avenue Improvements (Rosedale Street to Hunt Street)
24	26	Wollochet Drive Interchange Improvements (Kimball Drive to Hunt Street)
25	27	Vernhardson Street (Peacock Hill Avenue to City Limits)
26	28	Olympic Drive and Spur to Hollycroft

WHAT IS THE SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP)?

- It is the City's near-term list of transportation projects that are projected to happen over the next six years.
- It is a planning document that Engineering/Public Works updates yearly (in June) and is adopted via resolution by the City Council.
- It is a requirement of the Revised Code of Washington (RCW).
- It is a useful tool for the Public Works Department when applying for Federal or State grant applications.
- A document in the form of a map and a report (which you will see in the June Council Packet) that follows WSDOT's format for entering projects into the State TIP (STIP).
- Per RCW 35.77.010, a new project can only be added to the TIP if that project is identified in the Transportation Comprehensive Plan.
- It is typical for a project high on the TIP list (eg: #1-3) to have the following characteristics:
 - The project is budgeted by City Council.
 - The project has received Federal or State grants that have timelines/deadlines
 - The project is anticipated to begin before other projects in the TIP list
 - The project has shown in the traffic model to have the largest benefit to vehicular or pedestrian level of service (LOS).
- It is typical for a project low on the TIP list (eg: #25-28) to have the following characteristics:
 - The project is not yet budgeted by City Council.
 - The project has not applied or received Federal or State grants.
 - The project is anticipated to happen late in the six-year TIP timeframe

WHAT THE SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM IS NOT.

- A complete list of projects that are set in stone.
- A commitment by the City to spend money on any particular transportation project. Commitment to fund transportation projects is typically decided during the budget process.



MEMORANDUM

TO: City Council
FROM: David Rodenbach, Finance Director
DATE: May 25, 2023
SUBJECT: Unlimited (Voted) Bond Discussion

The capital facilities element of the recently adopted Parks, Recreation and Open Space Plan totals \$44 million over the next 20 years. Community sentiment suggests that some projects in the capital plan should be built sooner rather than 10 – 20 years from now. The obstacle to accelerating the parks capital plan is funding. A voted Parks bond is one method to enable identified projects are built sooner.

During a previous study session, we discussed park projects for a potential voted parks bond. Following the study session, we requested pricing estimates for three different voted (UTGO) bond amounts and for a non-voted (LTGO).

All scenarios assume current interest rates plus 100 basis points, 20-year final maturity, Jan 2024 issue date, first excess tax collection in 2024, and a two percent property value growth rate. The following UTGO (voted) scenarios: \$3M, \$5M, \$8M, and \$21.5M to the Project Fund. Also included is an estimate for a non-voted (councilmanic) \$2 million bond. The summarized results are as follows:

Description	Par Amount	Project Fund Deposit	Average Annual Debt Service	Year 1 Levy Rate	Year 20 Lecy Rate	Annual Cost for \$800,000 Home (based upon Year 1 Levy Rate)
UTGO	\$ 2,860,000	\$ 3,000,000	\$ 247,791	\$0.050794	\$0.035360	\$ 40.635200
UTGO	4,690,000	5,000,000	408,436	0.084166	0.057929	67.3328
UTGO	7,435,000	8,000,000	647,783	0.132674	0.091032	106.1392
UTGO	19,665,000	21,500	1,713,154	\$0.351691	\$0.241498	\$ 281.3528
LTGO	\$ 1,925,000	\$ 2,000,000	\$ 161,144	NA	NA	NA

Project	Total	Estimated Annual Cost - \$800,000 Home
Cushman to Harborview Trail connection - gravel path from Cushman Trail that connects to proposed underpass on Harborview	\$1,155,000	\$19.17
Wilkinson Farm Barn restoration - including parking and restrooms	\$3,705,000	\$61.50
Sports Complex Phase 1A - currently in permitting with YMCA (Assumes \$5 million contribution from YMCA)	\$2,000,000	\$33.20
Sports Complex Phase 2 - Install artificial turf at Pen Light Fields	\$3,000,000	\$49.80
Sports Complex Phase 3 - Install lighted fields and parking at undeveloped property south of the YMCA (& west of Wilkinson Farm Park Development - restrooms, parking, paved trails	\$10,500,000	\$174.30
	\$1,500,000	\$24.90



Staff Memorandum

TO: Mayor and City Council

FROM: Carl de Simas, Community Development Director

SUBJECT: Short-Term Rental Program Update

DATE: May 18, 2023

At the upcoming City Council Study Session on May 25, 2023, Staff will provide an update and lead a discussion relative to the Short-term Rental (STR) Program. We also hope to share a first look at an online dashboard prepared and hosted by Granicus containing data relative to the overall number of STRs operating in the City, both permitted and unpermitted, and other associated data. We are currently discussing a date where we will be able to get a tutorial in the use of this dashboard. We hope to have that completed prior to next week's study session.

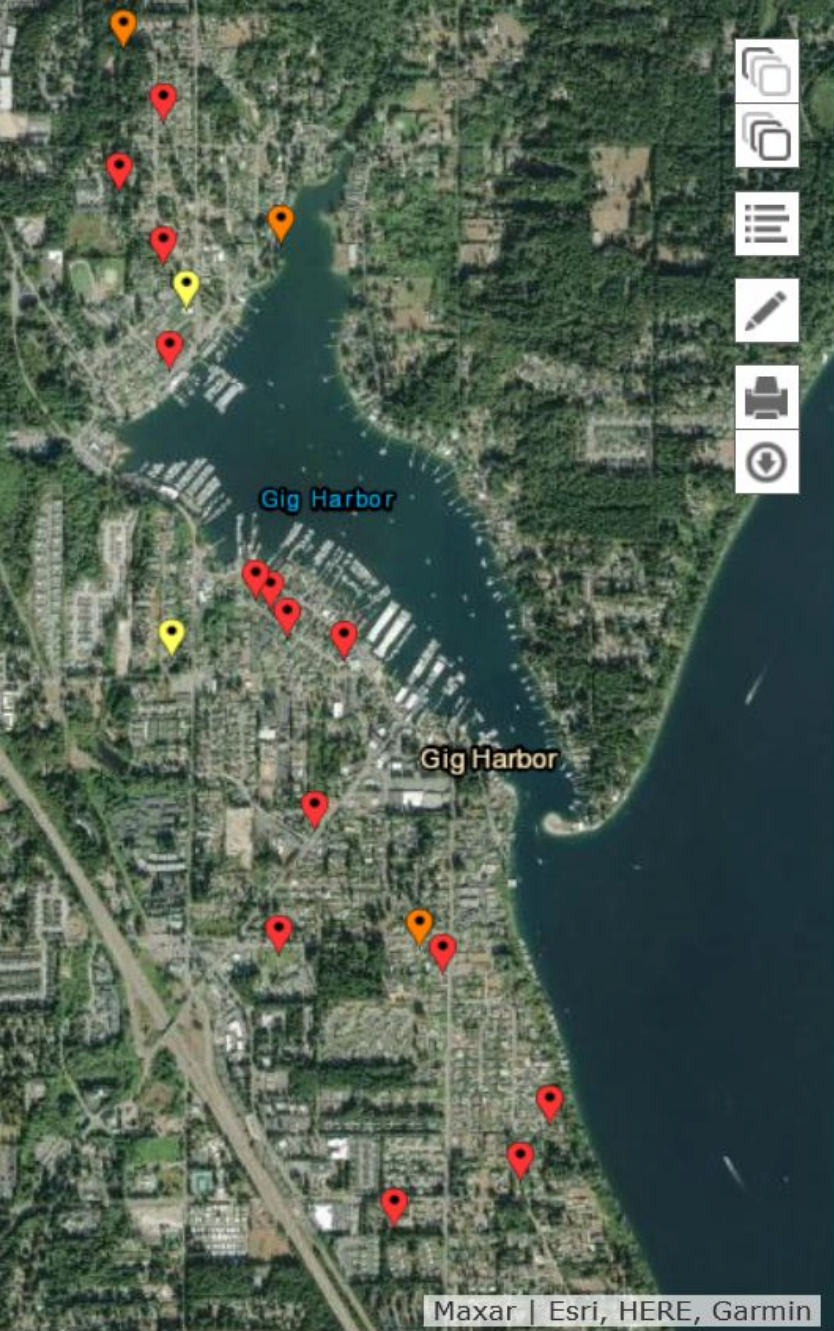
Since our last update on April 13th, the Planning Division has received three additional STR Permit Applications. Here is the "At-a-Glance" overview of the STR Program:

- 20 STR Applications
- 16 Issued STR Permits
- 3 Applications Under Review
- 1 Application Incomplete
- 1 Violation – Resolved
- 7 "New" STR Operations
- 2 Applicants from Outside City (Gig Harbor Zip Code)
- 1 Applicant Outside State
- 5 Public Comments Received
- 15 Owner-occupied
- 12 Whole-house Rental
- 7 Partial-house Rental

Please see the attached map, which shows where STR permits have been issued and where those that are under review are proposed to be sited.

The [STR web page](#) has been kept up to date and we have added a table with permit statuses as a quick reference. Once we have the Granicus Dashboard available, we will provide additional information as we learn it.

Please feel free to contact me directly with any questions. Thank you



Legend

Permits

-  ISSUED
-  UNDER REVIEW
-  DECISION ISSUED IN APPEAL PERIOD
-  Other



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"THE MARITIME CITY"

DEVELOPMENT SERVICES

Memorandum

To: Mayor and City Council

From: Paul Rice, Building Official/Fire Marshal

Subject: State Building Code Adoption

Date: May 25, 2023

On July 1, 2023 the triennial update to the State Building Code (SBC) will go into effect. In accordance with state law, all local jurisdictions with responsibility for enforcing the SBC may amend the administrative provisions of the Code to coincide with local policies and procedures. Additionally, with the exception of the International Residential Code, amendments may be made to all other portions of the code that are more restrictive but not less.

In this update, the State is adopting the 2021 editions of the International Building, Residential, Fire, Mechanical, Fuel Gas, Existing Building by reference and Energy Conservation Codes promulgated by the International Code Council and the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, with particular state amendments.

At the local level, most all of the proposed changes address "housekeeping" type issues such as revised text locations, the deletion or revision of obsolete definitions and passages as well as providing for consistency across the adopted codes. Additionally, the repeal of Chapter 15.02, Building Code Advisory Board, is proposed with all applicable Sections now referencing the Hearing Examiner process of appeal.

The first reading and public hearing of the Ordinance adopting the State Building Code will be at the July 12, 2023 City Council Meeting

Study Session Packet Attachments:

- Proposed Ordinance Adopting the 2021 Washing State Building Code

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE AND THE UNIFORM PLUMBING CODE BY REFERENCE; REPEALING CHAPTERS 15.02 AND 15.20, AS WELL AS MAKING CERTAIN CLEAN-UP AMENDMENTS, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS: 15.06.020, 15.06.060, 15.08.060, 15.10.040, 15.10.060, 15.12.030, 15.14.040, 15.16.050, 15.18.070 AND 15.22.065, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature adopted the state building code, to be effective in all counties and cities in Washington (RCW 19.27.031); and

WHEREAS, the state building code is comprised of a number of published codes, which are adopted by reference in the 2021 editions; and

WHEREAS, the City needs to adopt the 2021 editions locally, for enforcement purposes; and

WHEREAS, the City of Gig Harbor may adopt local amendments to the building code, consistent with Chapter 19.27 RCW; and

Whereas, the City finds that the local amendments contained herein are desirable to protect the public;

Now, therefore:

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Chapter 15.02 Building Code Advisory Board is repealed in its entirety.

Section 2. Section 15.06.020 of the Gig Harbor Municipal Code is amended as follows:

15.06.020 State building code adoption.

The following codes, together with the specifically identified appendices and the amendments in the Washington Administrative Code (WAC) and as further amended in this title, are hereby adopted by reference:

A. The International Building Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix J, and as amended pursuant to Chapter 51-50 WAC;

B. The International Residential Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix Chapter G as amended pursuant to Chapter 51-51 WAC;

C. The International Mechanical Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix A, as amended pursuant to Chapter 51-52 WAC;

D. The International Fuel Gas Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., as amended pursuant to Chapter 51-52 WAC;

E. The International Fire Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix Chapters B, C, F, I and J, as amended pursuant to Chapter 51-54A WAC;

F. The Uniform Plumbing Code, ~~2018~~ 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, as amended pursuant to Chapter 51-56 WAC, including Appendix Chapters A, B, and I;

G. The International Existing Building Code, ~~2018~~ 2021 Edition, as published by the International Code Council, Inc., including Appendix Chapter A;

~~H. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials;~~

~~I. H.~~ H. The International Energy Conservation Code, Commercial, ~~2018~~ 2021 Edition, as published by the International Code Council, and as amended pursuant to Chapter 51-11C WAC;

~~J. I.~~ I. The International Energy Conservation Code, Residential, ~~2018~~ 2021 Edition, as published by the International Code Council, and as amended pursuant to Chapter 51-11R WAC.

Section 3. Section 15.06.060 of the Gig Harbor Municipal Code is hereby amended as follows:

15.06.060 Definitions.

The following definitions shall apply when used in this title:

~~Building and Fire Safety Director~~ Building Official/Fire Marshal. Wherever the terms “building official,” “code official,” “fire code official,” “authority having jurisdiction,” or other reference to the chief code enforcement official is used in this title, it shall mean the ~~“building and fire safety director~~ Building Official/Fire Marshal” of the City of Gig Harbor.

~~Building and Fire Safety Department~~ Division. Wherever the terms “building department,” “authority having jurisdiction,” “department of building safety,” “department of mechanical inspection,” “department of fire prevention,” “department of inspection,” or other reference to the department responsible for enforcement of the city building code is used in this title, it shall mean the building and fire safety ~~department~~ division of the City of Gig Harbor.

Section 4. Section 15.08.060 of the Gig Harbor Municipal Code is hereby amended as follows:

15.08.060 Amendment to IBC Section 113.4-

~~113.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 113 Means of Appeals

113.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

113.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as ‘hearings examiner.’

113.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

113.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

113.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 5. Subsection R109.1.6, Energy efficiency inspection, of Section 15.10.040 of the Gig Harbor Municipal Code is hereby amended as follows:

15.10.040 Amendment to IRC Section R109.1.

Section R109.1 of the IRC is amended as follows:

R109.1.6 Energy efficiency inspection. Inspections shall be made to determine compliance with the ~~International Energy Conservation Code, Residential, 2018 Edition (Chapter 51-11R WAC)~~ currently adopted Washington State Energy Code; and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

Section 6. Section 15.10.060 of the Gig Harbor Municipal Code is hereby amended as follows:

15.10.060 Amendment to IRC Section R112.

~~R112.1 General. The Building Code Advisory Board shall hear and decide appeals and make interpretations, all as described in Chapter 15.02 GHMC.~~

~~R112.2 Determination of substantial improvement in areas prone to flooding. When the building official makes a finding required in Section R105.3.1.1, the building official shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial~~

~~damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:~~

~~1. Improvements to a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; and~~

~~2. Any alteration of a historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:~~

~~2.1 Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or~~

~~2.2 Determined by the Secretary of the U.S. Department of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or~~

~~2.3 Designated as historic under an approved state or local historic preservation program.~~

~~R112.2.2 Criteria for issuance of a variance for areas prone to flooding. A variance shall only be issued upon:~~

~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration and topography of the site render the elevation standards in Section R323 inappropriate.~~

~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~

~~3. A determination that granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~

~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~

~~5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

~~113.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 112 Board of Appeals, is renamed "Means of Appeals" and reads as follows:

112.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

112.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

112.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

112.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

112.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 6. Section 15.12.030 of the Gig Harbor Municipal Code is hereby amended as follows:

15.12.030 Amendment to IMC Section ~~409~~ 114.

~~109.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 114 Means of Appeals

114.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

114.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

114.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

114.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

114.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 7. Section 15.14.040 of the Gig Harbor Municipal Code is hereby amended as follows:

15.14.040 Amendment to IFGC Section ~~409~~ 113.

~~109.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

Section 113 Means of Appeal

113.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

113.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

113.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

113.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

113.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 8. Section 15.16.050 of the Gig Harbor Municipal Code is hereby amended as follows:

15.16.050 Amendment to IFC Section 408 111

Section 111 Means of Appeals

~~108.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

111.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

111.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

111.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

111.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

111.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 9. Section 15.18.070 of the Gig Harbor Municipal Code is hereby amended as follows:

15.18.070 Amendment to IEBC Section 112.

Section 112 Means of Appeals

~~112.1 General. The Building Code Advisory Board shall hear and decide those appeals and interpretations described in Chapter 15.02 GHMC.~~

112.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

112.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

112.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

112.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

112.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 10. Chapter 15.20 of the Gig Harbor Municipal Code is repealed in its entirety.

Section 11. New Section 15.22.065 amending UPC Section 107.0 is hereby added to the Gig Harbor Municipal Code as follows:

15.22.065 Amendment to UPC Section 107.0.

Section 107.0, Board of Appeals, is renamed "Means of Appeals" and reads as follows:

107.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the hearing examiner system established by GHMC 2.25 shall be utilized.

107.2 Limitations on Authority.

The hearing examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

107.3 Authority and Limitations.

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in Chapter 1.

107.4 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

107.5 Fees.

A fee shall be paid for all appeals of administrative determinations to the hearing examiner. The amount of the fee shall be as specified in the city's currently adopted fee schedule.

Section 10. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

Section 11. Copies of Codes Filed with City Clerk. Pursuant to RCW 35A.12.140, copies of all of the codes adopted by reference in this Ordinance have been filed with the City Clerk for use and examination by the public prior to adoption.

Section 12. Effective Date. This ordinance shall take effect 5 days after passage and publication as required by law.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 26th day of June 2023.

CITY OF GIG HARBOR

TRACIE MARKLEY, MAYOR

ATTEST/AUTHENTICATED:

By: _____
JOSH STECKER, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
DANIEL P. KENNY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO: